



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

October 3, 2017

System No. 4600017

Certified Mail/Return Receipt

7012 3460 0003 1112 9745

Larry Ostrom, Manager
R.R. Lewis Small Water Company
4500 E. Fremont Street
Stockton, CA 95215

TRANSMITTAL OF CITATION NO. 01-02-17C-019

Dear Mr. Ostrom:

The State Water Resources Control Board (Board) Division of Drinking Water has issued the R.R. Lewis Small Water Company a citation, which is attached.

Any person who is aggrieved by an order or decision issued by the deputy director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code Section 116625) or Article 9 (commencing with Health and Safety Code Section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Board for reconsideration of the order or decision. The enclosed citation contains the relevant statutory provisions for filing a petition for reconsideration (Health and Safety Code Section 116701).

Petitions must be received by the State Board within 30 days of the issuance of the order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions, please contact Stephen Rooklidge at (530) 224-2413 or me at (530) 224-4800.

Stephen W. Watson, P.E.
Lassen District Engineer
Drinking Water Field Operations Branch

Enclosure

cc: Richard L. Hinrichs, Chief, DDW-Northern California Section
Sierra County Environmental Health Department

4600017/Enforcement/CitCovLet/sjr

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

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Attn: Larry Ostrom, Manager

Issued on October 3, 2017

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the R.R. Lewis Small Water Company (hereinafter, Company) (4500 E. Fremont Street, Stockton, CA 95215) for violation of California Code of Regulations (CCR), Title 22, Section 64423(a).

APPLICABLE AUTHORITIES**Section 116650 of California Health and Safety Code provides:**

- (a) If the Division determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the Division may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).
- (e) The Division may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

California Code of Regulations, Title 22, Section 64423, subsection (a) and Table 64223-A provides in relevant part:

- (a) Each water supplier shall collect routine bacteriological water samples as follows:

(1) The minimum number of samples for community water systems shall be based on the known population served or the total number of service connections, whichever results in the greater number of samples, as shown in Table 64423-A.

Table 64423-A

Minimum Number of Routine Total Coliform Samples

Monthly Population Served	Service Connections	Minimum Number of Samples
25 to 1000	15 to 400	1 per month

Section 116701 of California Health and Safety Code provides:

(a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.

(b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.

(c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state

1 board, should be considered to implement the policies of this chapter. The state board
2 may, in its discretion, hold a hearing for receipt of additional evidence.

3 (d) The state board may refuse to reconsider the order or decision if the petition
4 fails to raise substantial issues that are appropriate for review, may deny the petition
5 upon a determination that the issuance of the order or decision was appropriate and
6 proper, may set aside or modify the order or decision, or take other appropriate
7 action. The state board's action pursuant to this subdivision shall constitute the state
8 board's completion of its reconsideration.

9 (e) The state board, upon notice and hearing, if a hearing is held, may stay in
10 whole or in part the effect of the order or decision of the deputy director.

11 (f) If an order of the deputy director is subject to reconsideration under this section,
12 the filing of a petition for reconsideration is an administrative remedy that must be
13 exhausted before filing a petition for writ of mandate under Section 116625 or 116700.
14

15 **STATEMENT OF FACTS**

16 The Company operates a community water system that serves a population of
17 approximately 225 people through 119 service connections. The water system includes
18 two gravity springs, known as Anderson Spring and Wixson Spring, six distribution
19 reservoirs, four pressure zones, and a sodium hypochlorite disinfection system for the
20 water produced from Anderson Spring. The Company operates under Water Supply
21 Permit No. 01-02-93(P)46023, issued on December 31, 1993.
22

23 The Company submitted a Bacteriological Sample Siting Plan to the Division and it
24 was approved on June 05, 2015. The Bacteriological Sample Siting Plan specifies
25 two routine sample locations and four repeat sample locations for each routine
26 location.
27

1 The Company is required to collect two routine bacteriological water sample per
2 month from their distribution system. In August 2017, the Company did not collect a
3 bacteriological sample from the distribution system.

4 5 DETERMINATION

6 The Division has determined that the R.R. Lewis Small Water Company violated
7 Section 64423 (a), Title 22 of the CCR, in that the Company failed to collect a routine
8 bacteriological sample during the month of August 2017.

9 10 DIRECTIVES

11 The Company is hereby directed to take the following actions:

12
13 1. Comply with Sections 64423, Title 22, of the CCR in all future monitoring
14 periods.

15 2. Within 30 days of the issuance of this Citation, but in no case later than
16 **November 10, 2017**, notify all persons served by the Company of the violation
17 as required by Section 64463.7 and Section 64465, Title 22, of the CCR.
18 Notification shall be completed in accordance with each of the following:

19 a. Mail or direct delivery of the notice contained in Attachment 'A' to
20 each customer served by the Company.

21 b. Provide the notice contained in Attachment 'A' by publication in a local
22 newspaper to reach persons not likely to be contacted in the mailings.

23 Changes and/or modifications to Attachment 'A' shall not be made unless
24 approved by the Division.

25 3. Complete and return Attachment 'B' entitled "Compliance Certification" by
26 **November 20, 2017**. A copy of the notices used to provide public notification
27 shall be attached to the form.



1
2 All documents required by this Citation to be submitted to the Division shall be
3 submitted to the following address:

4
5 Stephen W. Watson, P. E.
6 Lassen District Engineer
7 State Water Resources Control Board
8 Division of Drinking Water
9 364 Knollcrest Drive, Suite 101
10 Redding, CA 96002
11

12 As used in this Citation, the date of issuance shall be the date of this Citation; and the
13 date of service shall be the date of service of this Citation, personal or by certified
14 mail, on the Company.
15

16 Nothing in this Citation relieves the Company of its obligation to meet the
17 requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California
18 Safe Drinking Water Act), or any regulation, permit, standard or order issued or
19 adopted thereunder.
20

21 The Division reserves the right to make such modifications to this Citation, as it may
22 deem necessary to protect public health and safety. Such modifications may be
23 issued as amendments to this Citation and shall be effective upon issuance.
24

25 **PARTIES BOUND**

26 This Citation shall apply to and be binding upon the Company, its officers, directors,
27 shareholders, agents, employees, contractors, successors, and assignees.
28
29



SEVERABILITY

The Directives of this Citation are severable, and the Company shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Board to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Board to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or failed to comply with an order of the Board; and to petition the superior court to take enforcement measures against a public water system that has failed to comply with an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.

10/3/17

Date

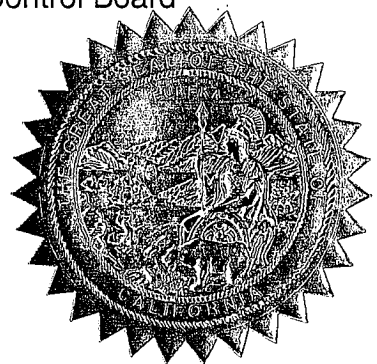
Stephen W. Watson

Stephen W. Watson, P.E.
Lassen District Engineer
Division of Drinking Water
State Water Resources Control Board

CERTIFIED MAIL 7012 3460 0003 1112 9127

Attachment A: Public Notice

Attachment B: Compliance Certification



IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

Monitoring Requirements not met for R.R. Lewis Small Water Company's Domestic Water System

Our water system recently violated a drinking water standard. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did to correct the situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During August 2017, we did not monitor or test for total coliform bacteria, and therefore, cannot be sure of the quality of our drinking water during that time.

What Should You Do?

There is nothing you need to do at this time.

What Happened? What Was Done?

Each month we are required to collect two samples from the distribution system and have them analyzed for total coliform bacteria. During the month of August 2017, we did not collect any bacteriological samples. Therefore, we are unable to know if the water served to our customers was free of contamination during that time. However, samples collected in July and September 2017 were absent of total coliform bacteria.

In the future, we plan to collect the required routine bacteriological samples each month.

For more information please contact Larry Ostrom, Manager, R.R. Lewis Small Water Company, at (209) 948-1882.

COMPLIANCE CERTIFICATION

Citation Number: **01-02-17C-019**

Name of Water System: **R.R. Lewis Small Water System**

System Number: **4600017**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of Title 22, California Code of Regulations (CCR) for the compliance period of August 2017. In addition, I certify that the R.R. Lewis SWC water system complied with the directives of this citation as indicated below:

Required Action

Date Completed

Public Notification by publication in a local newspaper.

Public Notification by posting in mailers to each water user.

Attach a copy of the notice published in a local newspaper and sent by direct mail to the water system customers.

<p>THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN NOVEMBER 20, 2017.</p>

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.